

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1632 S HB	<b>Title:</b> Plastic food service ware
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## Estimated Cash Receipts

NONE

Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Linda Steinmann, OFM	<b>Phone:</b> 360-902-0573	<b>Date Published:</b> Final 3/ 4/2019
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1632 S HB	<b>Title:</b> Plastic food service ware	<b>Agency:</b> 300-Department of Social and Health Services
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## Part I: Estimates



No Fiscal Impact

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

<b>Legislative Contact:</b> Dan Jones	<b>Phone:</b> 360-786-7118	<b>Date:</b> 02/22/2019
<b>Agency Preparation:</b> Bill Jordan	<b>Phone:</b> 360-902-8183	<b>Date:</b> 02/25/2019
<b>Agency Approval:</b> Dan Winkley	<b>Phone:</b> 360-902-8236	<b>Date:</b> 02/25/2019
<b>OFM Review:</b> Bryce Andersen	<b>Phone:</b> (360) 902-0580	<b>Date:</b> 02/25/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

It is the intent of the legislature to phase out the use of single-use plastic food services products, and to take other steps to reduce the waste of single-use plastic food service products.

There is no fiscal impact to the Department of Social and Health Services for this bill.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency; identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1632 S HB	<b>Title:</b> Plastic food service ware	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

☒ No Fiscal Impact

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

<b>Legislative Contact:</b> Dan Jones	<b>Phone:</b> 360-786-7118	<b>Date:</b> 02/22/2019
<b>Agency Preparation:</b> Eric Molfino	<b>Phone:</b> 360-236-4537	<b>Date:</b> 02/25/2019
<b>Agency Approval:</b> Stacy May	<b>Phone:</b> (360) 236-4532	<b>Date:</b> 02/25/2019
<b>OFM Review:</b> Bryce Andersen	<b>Phone:</b> (360) 902-0580	<b>Date:</b> 02/25/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill does not require the Department of Health (DOH) to do any new work, therefore, no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

None

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1632 S HB	<b>Title:</b> Plastic food service ware	<b>Agency:</b> 461-Department of Ecology
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## Part I: Estimates

☒ No Fiscal Impact

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

<b>Legislative Contact:</b> Dan Jones	<b>Phone:</b> 360-786-7118	<b>Date:</b> 02/22/2019
<b>Agency Preparation:</b> My-Hanh Mai	<b>Phone:</b> 360-407-6996	<b>Date:</b> 02/27/2019
<b>Agency Approval:</b> Erik Fairchild	<b>Phone:</b> 360-407-7005	<b>Date:</b> 02/27/2019
<b>OFM Review:</b> Linda Steinmann	<b>Phone:</b> 360-902-0573	<b>Date:</b> 02/27/2019

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Compared to 1632 HB, 1632 SHB would have the following changes, none of which would change the fiscal impact to Ecology:

- Eliminate restrictions on plastic food service products beginning in 2030 for retail establishments and in 2040 for food service businesses;
- Delay the effective date from October 1, 2019, to January 1, 2020, for the requirement that food service businesses provide plastic utensils, straws, and condiment packaging to customers only upon customer request, and make violations of this requirement subject to class 3 civil infraction penalties for littering;
- Eliminate the 2030 expiration date for the requirement that food service businesses provide plastic utensils, straws, and condiment packaging to customers only upon customer request;
- Amend the preemption of local food service ordinances addressing plastic food service products so that it only prohibits new ordinances that require a customer to request plastic food service products;
- Recodify the bill into Chapter 70.93 RCW, the Waste Reduction, Recycling, and Litter Control Act; and
- Amend the intent section; and make other technical changes.

Under current law, local public health jurisdictions (LHJs) have the primary responsibility for the health and safety of Washington residents. The intent of this bill is to phase out the use and reduce the waste of single-use plastic food service ware. The LHJs would be required to enforce these requirements.

Section 2(2) and 2 (3) would require food service businesses to provide plastic utensils, straws, and condiment packaging to customers only upon request by a customer.

Section 2(5) would deem violations of this requirement a class 3 civil infraction penalties for littering.

Section 2(6) would prohibit new ordinances that require a customer to request plastic food service products beginning July 1, 2019, and would prevent any local plastic food service products ordinance in effect as of July 1, 2019, from being preempted or repealed.

Section 3 would establish an effective date of January 1, 2020.

For purposes of this fiscal note, the Department of Ecology (Ecology) assumes the LHJs would enforce these requirements and assess civil penalties. Ecology assumes staff may be asked to assist local governments with implementation and contamination issues in composting and recycling operations. Providing technical assistance to local governments is part of our existing work, therefore, this would have no fiscal impact on Ecology.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

**Part III: Expenditure Detail**

**Part IV: Capital Budget Impact**

NONE

**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 1632 S HB	<b>Title:</b> Plastic food service ware
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**Part I: Jurisdiction**-Location, type or status of political subdivision defines range of fiscal impacts.

**Legislation Impacts:**

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

**Part II: Estimates**

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

**Part III: Preparation and Approval**

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 03/01/2019
Leg. Committee Contact: Dan Jones	Phone: 360-786-7118	Date: 02/22/2019
Agency Approval: Renee Martine-Tebow	Phone: 360-725-5045	Date: 03/01/2019
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 03/02/2019

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

#### **DIFFERENCES FROM PRIOR BILL VERSION:**

The substitute version of the bill makes numerous changes to the prior version. It removes the local option for local health jurisdictions and city and county health departments to enforce provisions on plastic ware, and receive revenue from fines resulting from violations.

#### **SUMMARY OF CURRENT BILL:**

Section 2 adds a new section to RCW 70.93. A violation of this section is deemed to be littering in an amount less than or equal to one cubic foot, and is a class 3 civil infraction. For purposes of processing the civil infraction, the retail establishment is the person responsible for the civil infraction. Beginning July 1, 2019, a city, town, county, or municipal corporation may not enact an ordinance to reduce pollution from single-use plastic food service products by requiring a request of plastic food service products by the customer of the food service business or other retail establishment. Any local plastic food service products ordinance that is in effect as of July 1, 2019, is not preempted or repealed.

Section 3 establishes that Section 2 of this act takes effect January 1, 2020.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

This legislation would have no expenditure impacts for local government.

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

The legislation would have no revenue impacts for local government.

#### **SOURCES:**

Washington State Association of Local Public Health Officials

Local Government Fiscal Note for SB 5077, 2019

Association of Washington Cities salary and benefit survey